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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

11/16/2004

JONATHAN E. GRANT 2107 HOUNDS RUN PLACE SILVERSPRING, MD 20906 EXAMINER

PRATS, FRANCISCO CHANDLER

ART UNIT

PAPER NUMBER

1651

DATE MAILED: 11/16/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,979	02/08/2002	Vincent Fischetti	NH-METHOD STREP	4100

TITLE OF INVENTION: THERAPEUTIC TREATMENT OF UPPER RESPIRATORY INFECTIONS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$685	\$300	\$985	02/16/2005

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO COMPREMATION NO. 10/667,979 02/08/2002 Vincent Fischetti NH-METHOD STREP 4199 TITLE OF INVENTION: THERAPEUTIC TREATMENT OF UPPER RESPIRATORY INFECTIONS APPLN TYPE SMALL ENTITY INSURED FIRST PUBLICATION FEE TOTAL FEE(s) DUE DATE DUE NOISY PROTECTIONS APPLN TYPE SMALL ENTITY INSURED FIRST PUBLICATION FEE TOTAL FEE(s) DUE DATE DUE NOISY PROTECTIONS APPLN TYPE SMALL ENTITY INSURED FEE FUBLICATION FEE TOTAL FEE(s) DUE DATE DUE NOISY PROTECTION FEE TOTAL FEE(s) DUE DATE DATE DUE NOISY PROTECTION FEE TOTAL FEE(s) DUE DATE DATE DATE DATE DATE DATE DATE DAT	Picerni Cerrolica			or <u>Fax</u>	(703) 746-4000		
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JONATHAN E., CRANT 2107 HOUNDS RIN PLACE SILVERSPRING, MD 20906 Control of the	CURRENT CORRESPONDEN	CE ADDRESS (Note: Use Block 1 for	any change of address)		Note: A certificate of	of mailing can only be used i	for domestic mailings of th
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PRATS, FRANCISCO CHANDLER 1.651			\$685		\$300	\$985	02/16/2005
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Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government 4a. The following fee(s) are enclosed: 4b. Payment of Fee(s): Issue Fee A check in the amount of the fee(s) is enclosed. Payment by credit card. Form PTO-2038 is attached. Advance Order - # of Copies The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number Cenclose an extra copy of this form). S. Change in Entity Status (from status indicated above) A payment by credit card. Form PTO-2038 is attached. Advance Order - # of Copies A payment by credit card. Form PTO-2038 is attached. Cenclose an extra copy of this form). S. Change in Entity Status (from status indicated above) A payment by credit card. Form PTO-2038 is attached. Cenclose an extra copy of this form). S. Change in Entity Status (from status indicated above) A payment by credit card. Form PTO-2038 is attached. Cenclose an extra copy of this form). S. Change in Entity Status (from status indicated above) A payment by credit card. Form PTO-2038 is attached. Cenclose an extra copy of this form). S. Change in Entity Status (from status indicated above) A payment by credit card. Form PTO-2038 is attached. Cenclose an extra copy of this form). S. Change in Entity Status (from status indicated above) A payment by credit card. Form PTO-2038 is attached. Cenclose an extra copy of this form and the application of the USPTO is required by a payment by cardit card. Form PTO-2038 is attached. Cenclose an extra copy of this form and the application of the USPTO is required by 37 CFR 1.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, prepa	"Fee Address" indicate PTO/SB/47; Rev 03-02 o Number is required. 3. ASSIGNEE NAME AND PLEASE NOTE: Unless recordation as set forth in	ion (or "Fee Address" Indicator more recent) attached. Use RESIDENCE DATA TO BE an assignee is identified bel 37 CFR 3.11. Completion of	ion form of a Customer B PRINTED ON T ow, no assignee of this form is NOT	(2) the name of a s registered attorney 2 registered patent listed, no name wil HE PATENT (print of lata will appear on the a substitute for filing	natively, ingle firm (having as a or agent) and the nam attorneys or agents. If be printed. type) c patent. If an assign an assignment.	a member a les of up to no name is 3 lee is identified below, the do	
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La. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office. Authorized Signature	5. Change in Entity Status (from status indicated above)		Seposit Account Num	DET	(enclose an extra co	py of this form).
NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office. Authorized Signature Date Typed or printed name Registration No. This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete flow and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.	a. Applicant claims SM	IALL ENTITY status. See 37	CFR 1.27.	b. Applicant is no l	onger claiming SMAI	L ENTITY status Sec 37 CF	P. 1.27(a)(2)
Typed or printed name	The Director of the USPTO is NOTE: The Issue Fee and Pul interest as shown by the recor	requested to apply the Issue blication Fee (if required) wil ds of the United States Paten	Fee and Publication II not be accepted to and Trademark C	on Fee (if any) or to re from anyone other tha office.	-apply any previously n the applicant; a regis	paid issue fee to the application paid issue fee to the application paid is paid is the application paid in the application paid is the application paid is the application paid in the application paid is the application paid in the application paid is the application paid in the application paid in the application paid is the application paid in the application paid in the application paid is the application paid in the application pa	ion identified above.
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.	This collection of information an application. Confidentially submitting the completed app this form and/or suggestions f Box 1450, Alexandria, Virgin Alexandria, Virginia 22313-14 Under the Paperwork Reduction	is required by 37 CFR 1.311 / is governed by 35 U.S.C. 1 lication form to the USPTO. or reducing this burden, shou is 22313-1450. DO NOT SE 50. on Act of 1995, no persons ar	The information 22 and 37 CFR 1. Time will vary did be sent to the CEND FEES OR CC	is required to obtain of 14. This collection is epending upon the inc hief Information Off OMPLETED FORMS	r retain a benefit by the stimated to take 12 m lividual case. Any concer, U.S. Patent and TO THIS ADDRESS.	ne public which is to file (and I inutes to complete, including nments on the amount of time trademark Office, U.S. Depar SEND TO: Commissioner fo	by the USPTO to process) gathering, preparing, and e you require to complete tment of Commerce, P.O. r Patents, P.O. Box 1450,



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

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7590 11/16/2004			EXAMINER	
JONATHAN E. GRANT 2107 HOUNDS RUN PLACE			PRATS, FRANCISCO CHANDLER	
SILVERSPRING, M			ART UNIT	PAPER NUMBER
			1651	

DATE MAILED: 11/16/2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.